

COMPLETE CHARTS OF TO-DAY'S RACES.

WEATHER—Showers To-night and Friday.

FINAL RESULTS EDITION

PRICE ONE CENT.

The



"Circulation Books Open to All."

NEW YORK, THURSDAY, AUGUST 6, 1908.



CINCINNATI 5, GIANTS 0

SCORE BY INNINGS:

Cincinnati	0	0	1	0	0	0	2	2	0	— 5
Giants	0	0	0	0	0	0	0	0	0	— 0

ST. LOUIS 2, BROOKLYN 0

FIRST GAME.

SCORE BY INNINGS:

St. Louis	0	0	2	0	0	— 2
Brooklyn	0	0	0	0	0	— 0

First game called at the end of the sixth inning. Second game postponed on account of rain.

HIGHLANDERS 1, ST. LOUIS 3

SCORE BY INNINGS:

Highlanders	1	0	0	0	0	0	0	— 1
St. Louis	0	0	0	3	0	0	0	— 3

HIGHLANDERS GIANTS

BATTING ORDER.

St. Louis: Stone, 1f; Hartzel, 2b; Williams, 2b; Wallace, ss; Ferris, 3b; Hoffman, cf; T. Jones, 1b; Spencer, c; Howell, p.

BATTING ORDER.

New York: Niles, 2b; Conroy, 3b; Keeler, 1f; Chase, 1b; Hemphill, cf; Delehanty, 1f; Ball, ss; Sweeney, c; Hogg, p.

(Special to The Evening World.)

ST. LOUIS, Aug. 6.—It was mighty dark at game time to-day, but the curtain was rung up with Hogg and Howell as the rival fingers. The crowd was none too bulky, there being some 2,800 fans in the stand.

First Inning.—Niles lined to right field for a base. Conroy sacrificed. Howell to Williams. Niles made a daring steal of third base. Keeler singled to right field. Niles scoring. Chase lifted deep to Stone. Hemphill lined to Wallace. ONE RUN.

Second Inning.—Delehanty scratched a single past Wallace. Ball fanned and Delehanty stole second. Williams threw out Sweeney. Hogg fled out to Hartzel. NO RUNS.

Third Inning.—Niles fouled out to Ferris. Conroy boosted a high one to Hartzel. Williams handled Keeler's grounder in time. NO RUNS.

Fourth Inning.—Chase binged to left field. Hemphill sacrificed. Ferris to Jones. Delehanty singled to center field and Chase was out at the plate on Hoffman's good throw. Spencer, Delehanty, Williams and base on the throw home. Ball out to Ferris. T. Jones, NO RUNS.

Fifth Inning.—Sweeney fanned. Hogg lined to Hartzel. Ferris made a good catch of Niles's foul fly. NO RUNS.

Sixth Inning.—Hoffman fouled out to Conroy. Keeler fanned. Williams was safe on Ball's low throw. Wallace out. Niles to Chase. NO RUNS.

Seventh Inning.—Hemphill fouled to Spencer. Delehanty walked. Ball forced Delehanty. Wallace to Williams. Ball stole second base. Sweeney fanned. NO RUNS.

Eighth Inning.—Hogg singled to left field. Niles forced Hogg. Wallace to Williams. Niles out. Spencer to Williams. Conroy doubled to right field. Keeler out. Howell to Jones. NO RUNS.

Ninth Inning.—Hogg singled to left field. Niles forced Hogg. Wallace to Williams. Niles out. Spencer to Williams. Conroy doubled to right field. Keeler out. Howell to Jones. NO RUNS.

POLO GROUNDS, Aug. 6.—The Giants wound up the series with Cincinnati this afternoon on a field covered with mud and water. The game was delayed a half hour waiting for the drizzling rain to cease. Many fans left the grounds thinking there would be no game. McGraw was intensely anxious to play, as a postponement would mean three double-headers when the Reds come here on the next trip. This would be too much of a strain at a time when the leaders are in the home stretch. On account of the uncertainty of a game being played, not more than 1,000 people saw the contest.

First Inning.—Kane struck out and Huggins was out. Tenney to McGinnity. Lobert also struck out. NO RUNS.

Second Inning.—Delehanty scratched a single past Wallace. Ball fanned and Delehanty stole second. Williams threw out Sweeney. Hogg fled out to Hartzel. NO RUNS.

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GIRLS OVERCOME AT FIRE CAUSED BY EXPLOSION

Six Swoon on Burning Stairs While Fleeing From Ninth Floor.

GASOLINE IN FLAMES. Quick Spreading Blaze High Up in Building Imperils Twenty Lives.

Thrilling rescues marked an exciting fire this afternoon in the Jones Building, No. 32 Duane street.

The fire started on the ninth floor, in a loft occupied by Slatkoff Brothers, printers and binders. Flames suddenly shot out of the gasoline storeroom and a score of employees, including six girls, ran for the door.

A strong wind swept the smoke into the hallway, and the stairs were soon a mass of vapor. Without waiting for the elevator the girls ran down the nine flights. At the third floor Kate Freeman, of No. 46 Avenue C, Bayonne, fell in a faint. The other girls were forced to leave her.

Bertha Bennett, of No. 32 Jefferson street, and Nellie Davine, of No. 1065 De Kalb avenue, Brooklyn, swooned on the first floor and had to be carried to the street.

Hospital on Sidewalk.—Oscar Loes, the elevator man, ran the car up to the third floor and carried Miss Freeman downstairs, where she was attended by ambulance surgeons. The sidewalk was transformed into a temporary hospital while the two doctors gave restoratives to the women.

Ada Tobias, of No. 128 First avenue, and Hannah Finley, of No. 655 Fourth avenue, Brooklyn, were also attended.

The fire was quickly conquered by the firemen, who confined it to the ninth floor. For a while the smoke was dense and the work difficult.

On the way to the fire Chief Duffy ran in a truck at Lafayette and Worth streets. His runabout was nearly turned over and he was badly shaken up. He caused the arrest of the driver. He was unable to continue on duty at the fire.

CUBS DROP TWO TO PHILLIES BY MAKING ERRORS.

FIRST GAME. Chicago..... 0 0 1 0 1 0 0 0 3-5 Philadelphia..... 0 0 2 0 3 1 0 0 0-7

SECOND GAME. Chicago..... 0 0 0 0 1 0 3 0 0-3 Philadelphia..... 0 2 0 0 0 0 2 0 0-2

PHILADELPHIA, Aug. 6.—The Chicago World's Champions played like anything but detail and King; Sparks and Doolin. Umpires—O'Day and Rudenham.

MAKING BET RECORD IS NOT CRIME UNLESS DONE AS PROFESSION

Supreme Court Justice Gaynor Says New Law Never Contemplated "Thrusting Its Nose Into Personal Affairs."

Justice Gaynor of the Appellate Division of the Supreme Court in Kings County to-day decided that the new anti-gambling law in no way interfered with the personal liberty of the people, and that it was no crime to record a bet unless the transaction is made by a bookmaker or one in the business of accepting bets.

"The law has never descended to the extent of thrusting its nose into the personal affairs of men and women," said Justice Gaynor.

The decision is of wide interest—it permits men to bet on race horses at will, or in fact any game of chance, and lifts the stigma of crime off euchre or whist parties when played for prizes.

The decision was rendered in the case of George Sterling, who was arrested at Garden City after making and recording a bet of a box of golf balls with 1227 Hamme. Sterling appealed to the Supreme Court on a writ of habeas corpus and the argument was heard by Justice Gaynor.

Over Golf Ball Wager.—"The charge against the relator," said Justice Gaynor, "is the violation of section No. 351 in wagering a box of golf balls on a game of golf and recording the bet. This was no crime. The law has never descended to the extent of thrusting its nose into the personal affairs of men and women."

"Those who try to make out that it has, only tend to create a disrespect for it. 'No law can be enforced except by public opinion, and wise legislators never pass a law which lacks public opinion in its favor. Such laws are dead letters, except as they are stirred up."

(Continued on Second Page.)

JUSTICE GAYNOR DECIDES: An ordinary bet is not a crime, whether made in your parlor, on a race track, or on the golf links. No law can be enforced except by public opinion.

The law does not thrust its nose into the personal affairs of men and women. All that the last Legislature did in respect to the gambling laws was to make them apply inside of a race track as well as outside.

As to the recording of bets, Section No. 351 is confined in plain terms to the case of persons who engage in recording or registering the bets of all comers as a practice or business.

SEVENTH DAY AT SARATOGA. Weather Cloudy. Aug. 6. Track Heavy.

708 FIRST RACE—Handicap for three-year-olds; \$500 added; six furlongs. Post time, 2:30, off. 2:22. Start good. Won easily. Winner, ch. c., by Hancock-Bay, owned by Leverock, Time—1:16.

709 SECOND RACE—Steeplechase for four-year-olds and upward; handicap; selling. Post time, 2:37, off. 2:58. Start good. Won easily. Winner, ch. c., by Gatten-Jude, owned by R. Tomkins, Time—4:23.

CARDINAL GIBBONS STRICKEN ON HIS VISIT TO ROME

Suffers Attack of Intestinal Trouble, Sees Specialist and Is Ordered to Bed.

HIS TEMPERATURE 100. Pope Concerned and Archbishop Farley and Other Americans Make Inquiries.

ROME, Aug. 6.—Cardinal Gibbons has been stricken with a serious illness, and as his temperature is 101 and there are other threatening symptoms alarm is felt for the outcome.

The Cardinal was taken ill yesterday while on a visit to Castel Gandolfo. The trouble is intestinal. The stroke was rather sudden, as the Cardinal had been enjoying excellent health for a man of his years. He was driven into Rome to consult a specialist and was immediately ordered to bed by the physician.

His high temperature to-day caused great concern among the many American prelates, priests and members of the Catholic hierarchy of the United States now in this city, and these called in large numbers at the Cardinal's temporary residence and made anxious inquiries concerning the distinguished patient. Archbishop Farley, of New York, who was one of the first to call, remained some time.

Pope Pius learned of Cardinal Gibbons's illness after he had given an audience to 200 pilgrims from New York, headed by Mr. Moran, and immediately dispatched a special messenger from the Vatican conveying his sympathies.

The Cardinal arrived here on July 30. On Aug. 1 he had a forty minutes' audience with the Pope and introduced to the Pontiff several distinguished American prelates.

Cardinal Gibbons sailed from New York on July 15, accompanied by Archbishop Farley and about forty bishops and priests, to attend the Pope's golden jubilee. On July 24, while on board the steamship Konig Albert, the Cardinal celebrated his seventy-fourth birthday. All of the cabin passengers and clergy assembled in the saloon to take part in a simple ceremony and Archbishop Farley made an address of congratulation. Bishop O'Connell, president of the Catholic University at Washington, congratulated Cardinal Gibbons on behalf of the trustees.

Pope Joked With Him.—On the occasion of his audience with the Pope Cardinal Gibbons spoke of the Pontiff's activity.

"We are both the same age," responded the Pope, "but still quite young."

Upon his arrival here the American Cardinal said that he was feeling in better health than he had been in years. He had enjoyed the sea trip immensely and felt that he was greatly benefited.

It was believed that, aside from taking part in the Pope's golden jubilee, Cardinal Gibbons would urge upon him the policy of appointing another Cardinal for America. The Cardinal had been invited to attend the meeting of the Congregation of the Propaganda on Aug. 19, but it is feared that his illness will now prevent him from taking any active part in church affairs for the present.

May Interrupt Trip.—Furthermore the Cardinal may be prevented from attending the Eucharistic Congress in London, which will open on Sept. 9. After attending the Eucharistic Congress Cardinal Gibbons had intended to go to Ireland with Archbishop Farley and visit the homes of his relatives. All of these plans may now be upset.

The Cardinal's party that came on the Konig Albert brought with them the Peter's Pence collected during the year. The contribution from the New York diocese was the largest ever sent to Rome.

Cardinal Gibbons had not intended returning to the United States until early in October.

\$11,000 LOSS TO SHAW IN STAKE RACE AT THE SPA

Beattie Cleans Up Big Sum When He Takes Four-Horse Field Against the Favorite in the Troy Stakes.

DUGAN IS SUSPENDED FOR HIS RIDE ON STAMINA.

Whitney's Colt Stamina Comes in Ahead of Sanford's Mayfield, but Is Disqualified for Bumping—O'Brien, Steeplechase Rider, Also Set Down.

SARATOGA RACE TRACK, Aug. 6.—Tom Shaw, the plunger, lost one of the biggest wagers of the season on Harrigan in the Troy Stakes here this afternoon. The bet grew out of an argument on the merits of Harrigan, as compared with the other starters, with the result that Shaw said: "I will bet \$11,000 against \$10,000 that Harrigan beats this field." "I'll lay against that," said Jimmy Beattie, and the wagers went down in Beattie's hand. Harrigan ran third behind Obdurate and Fore.

Neither Shaw nor Beattie turned a hair during the running of the race. Fore, not a mud runner, broke in her usual style and raced in front to the stretch turn. Obdurate and Harrigan were in close attendance all the way. In the stretch the heavy going began to tell on Fore and Obdurate, a mud runner shot to the front to win in a gallop. Harrigan didn't run his race and never could get to Fore, finishing a bad third.

O'Brien Rides Poor Race.—T. O'Brien, who rode Steelmaker in the steeplechase, got in bad again to-day when he tossed about in second money. He was twenty lengths in front of Harrigan entering the home stretch. He evidently thought he wasn't a chance for Harrigan to get to him and he started casing up. Buster Davidson on Harrigan while he mounted all the way through the stretch. He not only made up the twenty lengths but got up in the last jump and snatched the place money from O'Brien's mount Steelmaker. The stewards called O'Brien into the stand and asked him over the coals. O'Brien never in trouble after he went into the stand for a stretch run he responded like a champion.

The fifth race was a breeze for the favorite, Zingapo, he being the first favorite of the day to round up. He followed the pace of the first three all the way and then came away easily. Complete ran with the first three all the way. After import quit Crack Shot moved in strong and caught Complete in the stretch and beat her out for the place money. Zingapo in front was never in trouble after he went into the lead at the far turn. This made three winnings and one second for Shilling.

They were in the middle of the track and on even terms, when Dugan bore over on Mayfield, carrying the Sanford filly nearly over the inner rail. The crowd excitedly yelled "Foul!" but the jockey never let up on their efforts to ward the finish. Stamina finally got there by a good length. There was no question that Dugan on Stamina had impeded Mayfair, but strangely enough Shilling didn't make a claim of foul. The crowd gathered around the stewards' stand, but were surprised that Shilling made no claim.

Dugan Is Suspended.—The stewards apparently didn't notice this and ordered the disqualification of Stamina without even questioning the riders. The stewards didn't stop here. They suspended Dugan for the balance of the meeting and fined him \$100 for what they termed rough riding. There were enough exciting incidents crowded into to-day's doings to last a week.

Joy Over Gaynor Decision.—The announcement of Judge Gaynor's decision that it isn't illegal to record bets unless done by a professional bookmaker was joyfully received by the oral laymen. Jimmy Beattie denied that he could be regarded as a professional bookmaker. "I have a half-interest in a cigar stand down near Sheephead Bay," he said, "and that ought to let me out." Billy Cowan and Tom Shaw simply smiled when shown a copy of the decision.

Surprise in Opener.—The first race furnished a big surprise. Banyan won it easily from Fort Johnson with Delirium third. Dan Woodford had Banyan on edge. He is better than ever, and while he may lack class, he is good and ready. Few however, profited by what Woodford said, but preferred Half Sovereign and Fort.

KILLED BY FALLING TREE. Cable Pulls Heavy Trunk Into Excavation Upon Workman. James Stafford, thirty-five years old, address unknown, was instantly killed at Eighty-sixth street and Broadway to-day while at work in an excavation for a new building.

On the edge of the excavation stood a large tree. A cable hitched to a hoisting engine swung against the trunk of the tree, pulling it up by the roots and toppling it over into the excavation. Other workmen shouted to Stafford, but before he could get away he was caught and crushed.

Complexion Ideas are treated with Calista Cream—softens, beautifies, with no greasy appearance. At all retail counters.

AMERICAN LEAGUE.

At Cleveland. Washington..... 0 0 0 0 0 0 0 0 0-0
Cleveland..... 1 5 0 0 0 0 0 0 0-6

At Chicago. Boston..... 0 0 0 1 0 0
Chicago..... 0 0 0 0 0 0

At Detroit. The Philadelphia-Detroit game postponed on account of wet grounds.

EASTERN LEAGUE.

The Toronto-Jersey City and Montreal-Newark games postponed on account of rain.

At Providence. Buffalo..... 0 0 0 0 1 0 0 0-3
Providence..... 0 0 0 0 0 0 0 0-3

At Baltimore. Rochester..... 0 0 0 0 1 0 0 0-3
Baltimore..... 0 0 0 0 0 0 0 0-3

Sunday World Wants Work Monday Morning Wonders.